

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 KELLY GREEN,

4 Plaintiff

5 v.

6 SAM'S CLUB,

7 Defendant

Case No.: 2:20-cv-00834-APG-EJY

**ORDER REJECTING PROPOSED
JOINT PRETRIAL ORDER**

[ECF No. 36]

8 The parties' proposed Joint Pretrial Order (ECF No. 36) does not comply with Local
9 Rules 16-3 and 16-4.

10 Plaintiff objects to each of the exhibits that are listed as "Plaintiff's Exhibits." ECF No.
11 36 at 3. Why is Plaintiff objecting to their own exhibits? Plaintiff also objects to many of the
12 defendant's exhibits, but does not specify the grounds for those objections. Local Rule 16-
13 3(b)(8)(B) requires parties to "state the grounds for the objection." The parties also include a
14 blanket list of the following objections to each other's exhibits: "foundational, authenticity,
15 hearsay, relevance, and admissibility grounds." *Id.* But they do not link any objection to any
16 exhibit. The Local Rule requires that specific objections be tied to specific exhibits. Otherwise,
17 it is impossible for the parties and the court to adequately prepare for trial.

18 The proposed order also states that "Plaintiff and Defendant reserve all rights to make
19 appropriate objections at trial." *Id.* at 4. There is no such right to reserve. All objections to
20 exhibits must be included in the proposed order.

21 In its list of witnesses, Defendant lists "Plaintiff's disclosed witnesses and treatment
22 providers." *Id.* at 5. This attempt to preserve the ability to call literally anyone at trial violates
23 Local Rule 16-3(b)(12), which requires the parties to list their trial witnesses.

1 Plaintiff objects to several of Defendant's witnesses without specifying the reasons. Such
2 objections should be made in a motion in limine to exclude witnesses, if grounds exist to do so.

3 Local Rules 16-3 and 16-4 are designed to streamline trial preparation and presentation,
4 and to foster settlement. The failure to comply with those rules prevents full participation in
5 settlement discussions and deprives the other side the ability to efficiently prepare for trial. The
6 proposed Joint Pretrial Order violates Local Rule 16-3.

7 I THEREFORE ORDER that the parties' Joint Pretrial Order (**ECF No. 36**) is
8 **REJECTED**. The parties shall confer as required in Local Rule 16-3 and submit a Joint Pretrial
9 Order that complies with Local Rules 16-3 and 16-4 by September 30, 2022.

10 DATED this 6th day of September, 2022.

11 
12 _____
13 ANDREW P. GORDON
14 UNITED STATES DISTRICT JUDGE
15
16
17
18
19
20
21
22
23